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FOUNDED 1897

AUBREY L. BROOKS (1872-1958)  
W.H. HOLDERNESS (1904-1965)  
L.P. McLENDON (1890-1968)  
KENNETH M. BRIM (1898-1974)  
C.T. LEONARD, JR. (1929-1983)  
CLAUDE C. PIERCE (1913-1988)  
THORNTON H. BROOKS (1912-1988)  
G. NEIL DANIELS (1911-1997)

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**DEC 22 1998**

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December 16, 1998

Ms. Magalie R. Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., TWA325  
Washington, D.C. 20554

**Re: RM Docket No. 98-201**

Dear Ms. Salas:

Transmitted herewith, on behalf of the North Carolina Association of Broadcasters and the Virginia Association of Broadcasters, are an original and eleven (11) copies of *Erratum to the Joint Comments of the North Carolina Association of Broadcasters and the Virginia Association of Broadcasters*, which was filed on December 11, 1998, in the above proceeding.

If any questions should arise during the course of your consideration of this matter, it is respectfully requested that you communicate with this office.

Very truly yours,

BROOKS, PIERCE, McLENDON,  
HUMPHREY & LEONARD, L.L.P.

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Mark J. Prak  
Counsel to the North Carolina Association of  
Broadcasters and the Virginia Association of  
Broadcasters

MJP/kws

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of )  
 )  
Satellite Delivery of Network Signals )  
to Unserved Households for )  
Purposes of the Satellite Home )  
Viewer Act )  
 )  
Part 73 Definition and Measurement )  
of Signals of Grade B Intensity )  
 )  
To: The Commission )

CS Docket No. 98-201  
RM No. 9335  
RM No. 9345

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**ERRATUM TO  
JOINT COMMENTS OF THE  
NORTH CAROLINA AND VIRGINIA ASSOCIATIONS  
OF BROADCASTERS**

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*Counsel for the North Carolina and  
Virginia Associations of Broadcasters*

December 16, 1998

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
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Satellite Delivery of Network Signals	)	
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Purposes of the Satellite Home	)	CS Docket No. 98-201
Viewer Act	)	RM No. 9335
	)	RM No 9345
Part 73 Definition and Measurement	)	
of Signals of Grade B Intensity	)	
	)	
To: The Commission	)	

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**DEC 22 1998**

**FCC MAIL ROOM**

**ERRATUM TO  
JOINT COMMENTS OF THE  
NORTH CAROLINA AND VIRGINIA ASSOCIATIONS  
OF BROADCASTERS**

The Joint Comments of the North Carolina and Virginia Associations of Broadcasters filed on December 11, 1998 contained an editing error which has been corrected on the attached page. It is respectfully requested that the attached page 14 be substituted for the one contained in the Joint Comments.

Respectfully submitted,

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By: 

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Mark J. Prisk

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the congressionally-drawn line is not only beyond the Commission's purview, but would also upset an inherently complex regulatory scheme, as well as interfere in congressional assessments about the relationship between the broadcast and satellite industries, both of which are undergoing rapid economic and technological change.

Satellite delivery of distant network signals (indeed, of any programming) is plainly a luxury, not a necessity. As the Commission is well aware, satellite subscribers tend to be affluent folks with significant disposable income. The *Turner* cases make clear the importance of free, over-the-air local broadcasting to our national discourse and common culture, especially to those unable to afford subscription services. The Associations implore the Commission not to rush to "protect" affluent consumers who may lose satellite delivery of distant network signals, as a result of a court injunction enforcing the copyright laws against satellite carriers that blatantly ignored the law and engaged in illegal behavior,<sup>25</sup> while forgetting the one third of Americans who either cannot afford, or choose not, to subscribe to a luxury service—because it will be these Americans who will actually be harmed by the withering of free, local broadcast service.

*C. The Commission Has Repeatedly Placed a High Value On Localism  
and Should Do So When Evaluating SHVA Issues*

The Commission, too, has repeatedly recognized the critical significance of localism to the success of the American television broadcasting service, as well as the role that the network/affiliate

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<sup>25</sup> The Associations remind the Commission that the court-ordered injunction in *CBS v. PrimeTime 24* will only result in the termination of *distant* network service to those who are *illegally* receiving it. Those subscribers who, in fact, cannot receive a measured signal of Grade B intensity will continue to be lawfully eligible to receive distant network service via satellite, just as they have always been. Obviously, those subscribers who *can* receive a measured signal of Grade B intensity already receive *local* network service.